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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,402	01/17/2002	Jeffrey G. Anderson	6257-33902	1590

35690

7590

02/08/2011

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.

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EXAMINER

TANG, KARIN C

ART UNIT

PAPER NUMBER

2447

NOTIFICATION DATE

DELIVERY MODE

02/08/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/053,402

Applicant(s)

ANDERSON ET AL.

Examiner

KAREN C. TANG

Art Unit

2447

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 19, 20 and 31-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 19, 20, 31-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-940)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

- This action is responsive to the amendment and remarks file on 11/30/2010.
- Claims 1-16, 19, 20, 31-35 are presented for further examination.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-16, 19, 20, 31-35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14, 31-32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baru et al hereinafter Baru (US 7028252) in view Alley et al hereinafter Alley (US 5,845,282) in further view of Lev Ran et al hereinafter Lev Ran (US 2007/0174428).

I. Referring to Claim 1, Baru discloses a method comprising:
a local computer (content provider 108) periodically polling a server for task requests stored on the server (content processor 160) and generated by a remote computer (customer 110, refer to Col 19, Lines 35-40) distinct from the local computer (content provider content scheduler which periodically pull the content processor for requests, refer to Col 18, Lines 10-20 and Lines 28-30);

in response to said periodically polling, the local computer receiving one of said task requests, wherein at least a portion of said one of said task requests (content providers provides information in response to the requests, Col 18, Lines 20-22 and Lines 35-40);

the local computer transmitting the requested information in response to said periodically polling (refer to Col 18, Lines 30-36), the local computer receiving a subsequent one of said task requests (periodically scheduling, refer to Col 18, Lines 10-15,), wherein at least portion of said subsequent one of said subsequent one of said task requests comprises a request for a file stored on the local computer and identified in the file directory information (download based on customer preferences stored in the content processor, Col 18, Lines 35-40) and

in response to receiving said subsequent one of said task request, the local computer transmitting the file to the server (push or pull requested data to the content processor, refer to Col 18, Lines 40-45).

Although Baru disclosed the invention substantially as claimed, Lev Ran did not explicitly disclosing “the task request comprises a request for directory information of the local computer and the subsequences one of the tasks requests comprises files identified in the directory information”

Alley, in analogous art, disclosing “the task request comprises a request for directory information of the local computer and the subsequences one of the tasks requests comprises files identified in the directory information (refer to Col 11, Lines 40-50 and Col 12, Lines 5-20)”

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Baru and Alley because Alley’s teaching would improve Baru's system by

allowing smart thin devices to remote connected to its remote desktop and allowing faster transferring files (support by Lev Ran, par 0019)

2. Referring to Claim 2, Baru, Alley and Lev Ran, disclosed method of claims 1. Baru further disclosing:

the local computer identifying user preferences corresponding to the remote computer (refer to Col 18, Lines 35-40); and the local computer transmitting the file to the server based on the user preferences (refer to Col 18, Lines 35-40);

3. Referring to Claim 3, Baru, Alley and Lev Ran disclosed the method of claims 1. Alley further discloses

wherein said transmission occurs over a transmission control protocol/internet protocol stack (refer to Col 10, Lines 1-10).

4. Referring to Claims 4 and 5. Baru, Alley and Lev Ran disclosed the method of claims 1.

Baru further discloses requesting the file from an operating system of the local computer and receiving the file from the operating system (refer to Col 18, Lines 30-35); and uploading the file to the server (Col 18, Lines 40-45);

5. Referring to Claim 6, Baru, Alley and Lev Ran disclosed the method of claims 1.

Baru further disclosing discloses initiating a request to a message access protocol interface for the one of the user files from a message access protocol interface database (refer to

Col 18, Lines 45-56); and receiving the one of the user files from the database (refer to Col 18, Lines 45-56).

6. Referring to Claim 7, Baru, Alley and Lev Ran disclosed the method of claims 1. Baru further disclosing transmitting the file to the server further includes transmitting the file to the server from the message access protocol database (refer to Col 18, Lines 45-56).

7. Referring to Claim 31. Baru, Alley and Lev Ran disclosed the method of claims 1. Baru further discloses the periodically polling with a schedule timer that resides in the local computer (refer to Col 18, Lines 10-20).

8. Referring to Claim 34. Baru, Alley and Lev Ran disclosed the method of claims 1. Alley further discloses the directory information enable navigation of directories within the local computer (refer to Col 11, Lines 40-50 and Col 12, Lines 5-20).

9. Referring to Claims 8-16, 19-20, 32, 33, and 35 are rejected with similar rational as Claims 1-7, 31 and 34.

Conclusion

Examiner's Notes: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific

limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joon Hwang can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Karen C Tang/
Primary Examiner, Art Unit 2447